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APPLICATION NO. 2 CAPPENDE DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/603,346	Andrew Egendorf	7178-222	2602	
7590 03/02/2006		EXAM	INER	
Clifford Chance US LLP 200 Park Avenue		FELTEN, DANIEL S		
New York, NY 10166-0153		ART UNIT	PAPER NUMBER	
		3624		
		DATE MAILED: 03/02/200	6	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application/Control Number: 10/603,346

Art Unit: 3624

## **DETAILED ACTION**

1. Receipt of the amendment filed November 08, 2005 is acknowledged. Claims 31-110 have been cancelled and 111-166 have been added.

## Response to Amendment

2. Newly submitted claims 111-166 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: the claims recite a purchasing customer and selling vendor by a telephone service provider which is not the selling vendor.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 111-166 withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

3. The amendment filed on November 08, 2005 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because they present limitation unrelated to the original claim.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in

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order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR

1.136(a) ARE AVAILABLE.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Daniel S. Felten whose telephone number is (571) 272-6742.

The examiner can normally be reached on Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel S Felten Examiner

Art Unit 3624

DSF

January 20, 2006

Vines Melli

VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

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PTO/SB/08a (08-03)

Complete If Known

Approved for use through 07/31/2008. OMB 0851-0031
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Substitute for form 1449A/PTO	
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STATEMENT BY APPLICANT	First Named I
	Art Hait

(Use as many sheets as necessary)

of

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umber 10/603.346 June 25, 2003 Inventor Andrew Egendorf 3629 Examiner Name 21074.0025 Attorney Docket Number

U.S. PATENT DOCUMENTS  Document Number  Name of Patentee or Applicant of							
Examiner Initials *	Cite No.1	Number - Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Cited Document	Pages, Columns, Lines, Where Relevan Passages or Relevant Figures Appear		
15	1	US-5,394,324	02-28-1995	Xerox Corporation			
6	2	US- 5,329,589	07-12-1994	AT&T Bell Laboratories			
18	- 3	US- 3,920,908	11-18-1975	Constantine R. Kraus			
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.'	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant	76
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\*EXAMINER: Initial if reference considered, whether of not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the Indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as Indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete. Including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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